



Derby City Council

LICENSING COMMITTEE
7 November 2019

Report sponsor: Richard Antcliff
Report author: Michael Kay

ITEM 07

Update Review of the Penalty Point Scheme

Purpose

- 1.1 The report provides an update review of the taxi licensing penalty point scheme.

Recommendation(s)

- 2.1 To note the information set out in the report and appendices.

Reasons

- 3.1 To continue to provide, in the interests of public safety, a proactive and proportionate response to the public interest report findings, so far as they relate to taxi licensing administration, which also gives assurance to the public at large.
- 3.2 To continue to provide an objective approach to taxi licensing administration and decision making that is consistent, fair and transparent to both the public and the trade alike.

Supporting information

- 4.1 In November 2016, Council considered a report setting out proposals for a review of taxi licensing sub-committee decision making processes and procedures.
- 4.2 A number of changes were agreed, which included a firm commitment from Council for a transition of decision making powers from Licensing Committee to officers. The commitment gave officers the opportunity to develop, through to conclusion, the necessary prerequisites to secure the robustness of the principles and processes needed to allow them to implement, from an agreed date, a new system for making clear, consistent and robust decisions in the public interest. The agreed date for the introduction of this was 1 July 2017, and included the introduction of a new penalty point scheme.
- 4.3 The penalty point scheme is equally applicable to both existing and prospective licence holders, with a threshold maximum number of Derby points (12) above which, as applicable, a licence would be administratively suspended or revoked. The scheme was designed to take account of all possible driving and criminal convictions and/or conduct/behavioural transgressions.

- 4.4 Committee requested that the penalty point scheme was continually updated and that a report would be available annually to Members to review. This was last done in July 2018. Members welcomed the previous update report and identified that the scheme was a major improvement on the previous decision making process, that is was fair and transparent and that all parties involved were clear of the robust rules in place.
- 4.5 The penalty point scheme has been kept under review to identify any operational additions that have been needed to be made to it. The current revised penalty point scheme is set out for information at Appendix 1.
- 4.6 Further up to date information regarding the implementation of the penalty point scheme since last July, including the number of applications that have been considered using it and the number of subsequent appeals that have been made to the Magistrates Court, will be verbally presented at the meeting.

Public/stakeholder engagement

- 5.1 Not applicable.

Other options

- 6.1 None, the information set out in the report is for noting.

Financial and value for money issues

- 7.1 None.

Legal implications

- 8.1 No additional implications from this report.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director(s) Report sponsor Other(s)		

Background papers:	None
List of appendices:	Appendix 1 – Current Revised Penalty Point Scheme

